

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136512/FO/2023
Date registered valid: 17 March 2023
Proposal: Erection of 2no. single storey dwellings with associated car parking, landscaping and boundary treatments
Address: Vacant Land At Rainford Avenue, Manchester, M20 1BR
Ward(s): Old Moat Ward

Applicant: Ms. Penny Ridgway, Southway Housing Trust
Agent (if any): Mr Harry Randhawa, Triangle Architects
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 15.05.2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 13 April 2023

Standard consultations:

Printed: 4 April 2023 Expired: 25 April 2023

Neighbour notifications

Printed: 4 April 2023 Expired: 25 April 2023

Site notice

Posted: 13 April 2023 Expired: 4 May 2023

Press advert

Published: 11 April 2023 Expired: 2 May 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site is located 3.1 miles from Manchester City Centre, the site has good public transport links with bus stops and tram lines in close proximity on Princess Road and Mauldeth Road West. Rainford Avenue is an existing cul-de-sac; the site is located towards the top of the original cul-de-sac which has in the past been extended to provide access to Backford Walk, which has a number of dwellings and parking spaces located within it. The site is a mixture of tarmaced hardstanding (which forms part of the adopted highway) and hedgerows/grass that forms incidental space and garden areas of 14/16 and 18/20 Bromborough Avenue. in the area.

The area is residential in nature and is a mixture of post war former Council housing stock, the residential properties are a mixture of semi-detached and quasi terraced two storey properties of brick/render finish with tiled roofs. The nature of this area is of narrow cul –de sacs serving these properties with many having their own off street car parking.

Description of development

The application seeks planning permission for the erection of 2 single storey dwellings with associated car parking, landscaping and boundary treatments. The proposed scheme consists of 2 dwellings with the following mix: 2no. Bungalow A which are 1 bed 2 personal dwelling with a total area of 64.1m². All properties are being development by Southways Housing Trust for social rent.



Figure 1: Application site edged red

Planning History

125892/FO/2020 Erection of 3no. dwellings with associated car parking, landscaping and boundary treatments. *APPLICATION APPROVED 12.03.2020*

Consultations & Notification Responses

Neighbouring occupiers were notified however no responses were received.

Highways- Raise no objections to the proposals on highway or pedestrian safety grounds. The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities including bus and tram.

One driveway will be in place for each property alongside the provision of an Electrical Vehicle charging point and cycle storage for each property which is acceptable to Highways.

It appears that the existing highway extends only as far as 17 Rainford Avenue so the extent of any further adoption or amendment to the highway through S38/S278 agreement (e.g. the footway adjacent to the new properties) will be facilitated through agreement with MCC Highways.

The proposed boundary treatment are acceptable from a highway perspective.

Whilst Rainford Avenue is narrow, local waste collection already takes place from the cul de-sac end therefore these existing waste arrangements will apply to the new properties.

It is recommended that the following conditions be attached to any approval:

- Construction Management Plan
- Cycling Storage
- Off-Site Highways Works
- EV Charging Points

Arboriculture Team- Had no objections to the proposal and the development must follow the submitted Arboricultural Impact Assessment

Cadent Gas- Had no objections to the proposal but have recommended the following informative be attached to any approval:

To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Flood Risk Management- Had no objections to the proposal and recommended a condition relating to the submission and approval of a surface water management system.

United Utilities- Had no objections to the proposal and recommended a condition relating to the submission and approval of a surface water management system.

Environmental Health- Had no objections to the proposal and recommended a condition relating to the submission and approval of contaminated land report.

Greater Manchester Ecology Unit –

Nesting Birds - The development will result in one loss of a dense non-native hedge and one tree. Whilst the tree has very limited nesting potential, the hedge does appear to provide potential bird nesting opportunities. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. A condition should be attached to any approval outlining the following:

No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Other Wildlife - The site provides cover for hedgehog Biodiversity Priority Species. It could also theoretically provide cover for other small mammals and amphibians. Whilst this risk is low, given the location, the measures proposed in section 5.2 relating to small mammals are reasonable and can be conditioned along the following lines.

The development shall be carried out in accordance with the recommendations relating to small mammals and hedgehog contained within the Preliminary Ecological Appraisal by Ascerta ref. P.1206.19(D) section 5.2 as already submitted with the planning application and agreed in principle with the LPA prior to determination.

Contributing to and Enhancing the Natural Environment - The development will result in the loss of around 30m of ornamental hedge/shrubs, 0.01ha of amenity grassland and one small tree and associated bird nesting habitat, to be replaced with a slightly reduced area of amenity grassland two trees and some ornamental shrub planting. The current proposals would result in a very small loss at the site level equating to less than 0.1 biodiversity units and less than 0.1 linear units. These could be remedied by planting of one additional native tree on or off-site and use of a native hedge along the rear boundary eg. a beech hedge.

With regards wildlife it is recommended to include in the development a bird box on each dwelling.

The biodiversity mitigation measures can be dealt with a prior to occupation condition a biodiversity mitigation and enhancement plan will be provided for loss of tree, hedge and bird nesting habitat.

Policy

Manchester Core Strategy

The adopted Core Strategy contains a number of planning policies relevant to the consideration of the application proposals. These are set out below:

Policy H1 - Housing Provision

This policy identifies that approximately 60,000 new dwellings will be provided in Manchester between March 2009 and March 2027 equating to an average of 3,333 units per year although this rate will vary across the identified period. The policy identifies that the emphasis outside of the City Centre and the City's Inner areas is to increase the availability of family housing. It is expected that 90% of residential development will take place on previously developed land and sites in close proximity to centres and high frequency public transport routes.

The application proposals would contribute to the overall provision of new residential units in the City on previously developed land in a sustainable location close to services and public transport routes including Metrolink and Bus network. The proposals incorporate dwellinghouses. On this basis the proposals are considered to accord with the policy H1 of the Core Strategy subject to consideration of matters set out within the issues section of this report.

Policy H6 - Housing in South Manchester

This policy indicates that 5% of new residential development will take place in South Manchester over the lifetime of the Core Strategy. High density development will generally only be appropriate within district centres. Outside the district centres priorities will be for housing meeting identified shortfalls, including family housing and provision that meets the needs of elderly people with schemes adding to the stock of affordable housing.

The application proposals would provide residential accommodation across the site including larger family housing which is identified as required in South Manchester. On this basis the proposals are considered to be in general accordance with policy H6.

Policy T1 - Sustainable transport

This policy embeds the delivery of a high quality integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. It indicates support for proposals that: improve choice by delivering alternatives to the car; promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services; improve access to transport services and facilities for all; improve pedestrian routes and the

pedestrian environment; facilitate modes of transport that reduce carbon emissions; reduce the negative impacts of road traffic.

Policy T2 - Accessible areas of opportunity and need

This policy indicates that the Council will actively manage the pattern of development to ensure that new development is located to ensure access to the City's main economic drivers; is easily accessible by walking, cycling and public transport; have regard to the need for disabled and cycle parking and the maximum car parking standards set out in the Core Strategy; and, includes proportionate traffic impact assessments and travel plans for all major applications.

The application site is located within a sustainable location close to Burton Road local centre, and the Metrolink and bus networks. It is also accessible by bicycle and on foot enabling future residents to access areas of economic activity in the city by a full range of sustainable transport modes. The level of car parking is considered to be adequate for the sites location and the needs of future residents whilst also providing cycle parking to broaden the range of sustainable transport modes available to future residents. The application is supported by a Transport Statement. It is considered that the proposals accord with policies T1 and T2 of the Core Strategy.

Policy EN1 - Design Principles and Strategic Character Areas

Developments in Manchester are expected to follow the seven principles of urban design and have regard to the strategic character area in which the development is located. The application site is located in the southern character area where development is expected to retain the identity and focus of activity associated with the historic district centres and along the radial routes should be commensurate in scale with the prominence of its location.

The application proposals have been designed to reflect the context and residential character of the area. Consideration of this matter is set out in more detail within the issues section of this report.

Policy EN 4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development

The Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through the following actions:

All development must follow the principle of the Energy Hierarchy, being designed to reduce the need for energy through design features that provide passive heating, natural lighting and cooling to reduce the need for energy through energy efficient features such as improved insulation and glazing to meet residual energy requirements through the use of low or zero carbon energy generating technologies. Wherever possible new development and retrofit projects, including energy generation plant, must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies.

Where possible new development and retrofit projects will be used as a mechanism to help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings.

Where appropriate new development and retrofit projects will be required to connect to and/or make contributions to low or zero carbon energy schemes and/or to incorporate provision to enable future connection to any existing / potential decentralised energy schemes.

Policy EN6 - Target Framework for CO2 reductions from low or zero carbon energy supplies. This policy sets out that major developments are expected to meet the targets set out in the policy which are to be demonstrated through an energy statement.

Policy EN9 - Green infrastructure

This policy indicates that new development will be expected to maintain existing green infrastructure in terms of quantity, quality and function. Opportunities to encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.

Policy EN14 - Flood Risk

The policy reflects national planning policy to direct development away from sites at greatest risk of flooding, and towards sites with little or no risk of flooding. Site specific flood risk assessments are required for all development proposals on sites greater than 0.5 hectares.

The site falls within Flood Zone 1 and is at low risk of flooding, the applicant has provided a drainage strategy to accompany the application.

Policy EN16 - Air Quality

This policy indicates that the Council will seek to improve the air quality within Manchester and particularly Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers are expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself. When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality this includes cumulative impacts, particularly in AQMAs.

The applicant has provided an Air Quality Assessment of the air quality impact of the proposed development and the potential to expose future users to elevated pollution levels.

Policy EN18 - Contaminated Land

The policy outlines that the Council gives priority for the remediation of contaminated land to strategic locations. Proposals for development of contaminated land must be accompanied by a health risk assessment.

The application is accompanied by a ground conditions report that has been assessed by Environmental Health and it is recommended that a suitably worded condition be attached to any approval.

Policy DM1 - Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

Appropriate siting, layout, scale, form, massing, materials and detail.

Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Community safety and crime prevention.

Design for health.

Adequacy of internal accommodation and external amenity space.

Refuse storage and collection.

Vehicular access and car parking.

Effects relating to biodiversity, landscape, archaeological or built heritage.

Green Infrastructure including open space, both public and private.

The use of alternatives to peat-based products in landscaping/gardens within development schemes.

Flood risk and drainage.

Existing or proposed hazardous installations.

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 - Code Level 3;

Year 2013 - Code Level 4;

Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

The Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

Saved policy DC26, Development and Noise, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments. The proposal has been designed to minimise the impact from noise sources.

It is considered that the proposal is consistent with the policies contained within the UDP.

National Planning Policy Framework

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was revised in July 2021 and is a material consideration in the determination of all planning applications.

There are three overarching objectives to sustainable development: economic, social and environmental:

- an economic objective, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation; and improved productivity ; and by identifying and coordinating the provision of infrastructure;

- a social objective, supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- an environmental objective, contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Other Material Considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007)

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. The Guide states the importance of creating a sense of place, high quality designs, and respecting the character and context of an area. The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance provides a framework for all development in the City and requires that the design of new development incorporates a cohesive relationship with the street scene, aids natural surveillance through the demarcation of public and private spaces and the retention of strong building lines and appropriate elevational detailing and strong design particularly to corner plots.

The proposals are considered to have been designed to reflect the sites context and relationships with the surrounding area.

Residential Quality Guide

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

South Manchester Regeneration Framework

South Manchester is identified as an area with a rich and diverse group of neighbourhoods, with a wide range of issues and needs. Some areas are already successful, so the SRF is needed to help continue and build on this success. Other areas, in contrast, have particular issues that the SRF will help to tackle, such as poor housing and high levels of deprivation and worklessness.

The opportunity for the SRF is to build on and improve its assets - the distinctive, successful neighbourhoods and centres, the high quality parks and the strong heritage and character of South Manchester - and use these as a model to drive forward the future of the area. These qualities should be applied across South Manchester to raise the quality of the built environment and expand the number of successful neighbourhoods.

The SRF identifies a key issue for the area as providing a wider choice of housing to attract and retain residents. The SRF states future housing developments need to focus on providing high-quality family accommodation. It identifies that high-quality sustainable new housing developments should meet the housing needs of the existing and future population of South Manchester.

Issues

Principle

The general principle of residential development within a residential area is considered to be acceptable, previous approval has been granted for the residential development of the application site. Given the proposals utilise existing highway, incidental amenity space and garden areas of 14-16 and 18-20 Bromborough Avenue further consideration is required in terms of impacts on residential amenity, visual amenity, parking and the scale, massing and design of the proposed residential units.

Residential Amenity

The two proposed residential properties have been sited to maximise rear amenity space and accommodate off-street car parking. In terms of overlooking and loss of privacy implications to neighbouring properties given the single storey nature of the proposed dwellings it is not expected to add harmful sightlines into neighbouring occupiers' dwellings. Additionally, given the sitting and orientation of properties opposite the application site, the principal elevation of the proposed dwellings would overlook a blank side facing gable wall of no.17 Rainford Avenue and their high boundary treatment. The site has been subject to a previous approval for two storey dwellings on the site and the application proposals now put forward would not give rise to impacts of a greater or more intense nature than was previously considered acceptable.

It is therefore considered an acceptable addition to the local streetscene and would not contribute harmful overlooking or loss of privacy implications to neighbouring occupiers, pursuant to policy DM1 and SP1 of the Core Strategy.



It is acknowledged that the properties would be in close proximity to the retained areas of rear garden of numbers 14/16 Bromborough Avenue, however the siting of the proposed properties to west and the single storey nature of the dwellings would limit shadowing of the rear garden to

later in the evening sun. Further, overshadowing may be expected during the late morning/afternoon sun to the rear garden of no. 13 Rainford Avenue caused mostly by the most northerly sited dwelling. Whilst these impacts would be limited to certain times of the day it is not considered that these impacts would warrant refusal of the proposals.

The introduction of two residential properties in this area would give rise to general noise and disturbance associated with the use of the properties, however, given the residential nature of the area it is not considered that these impacts would be so great to give rise to unacceptable impacts on residential amenity.

Given the context and character of the area where similar relationships exist the proposals are not considered to give rise to unacceptable impacts on residential amenity that would warrant refusal of the proposed residential dwellings.

Visual Amenity

The proposals are considered to have been appropriately designed and sited to be successfully accommodated into the area. There would be a visual change from the current condition of the site and land but the introduction of modern contemporary designed residential accommodation is considered to be acceptable in this instance.

Affordable housing

The applicant is a Registered Provider of residential accommodation and it has been confirmed that the properties would be available for social rent. It is considered that the provision of affordable housing in the City is an important element of the application proposals and would assist in broadening the housing choice in the city and increasing the supply of social housing.

Design and Appearance

The proposed houses would have a contemporary appearance with reference to traditional housing typology and materials. The façade treatment will feature buff brick, buff soldier course brick detailing which will emphasise the window detail and break up the front elevations. The entrance of the bungalow dwellings will feature a flat roofed canopy to bring a contemporary feel as well as demarcating the threshold. The design approach has been to establish a simple, legible, and modern language which achieves architectural interest through the careful use of colour and window proportions.

In terms of sustainability the applicant indicates a 'Fabric First' approach that ensures less energy consumption through maximising air tightness and not relying on add on solutions i.e. by instead providing higher U-values for building elements, it doesn't require a long-term maintenance cost for the property. Additionally, the thermal mass brick offers better noise and fire insulation. The design has also included PV panels, this is to reduce the cost of energy to socially rented properties.

Each property is served by an off road car parking space with front boundary treatment of low brick wall and railings, there are amenity areas to the front and rear and a landscaping condition is proposed to ensure that there is enhancement of the character and visual amenities of the area.

Security

The development would remove a currently underutilised area on the residential estate and would provide active natural surveillance on an area otherwise only overlooked by the front of

number 17/19 Rainford Avenue. The proposals incorporate robust boundary treatments (concrete post and timber panels) to rear garden areas up to 1.8 metres in height, a suitable worded condition is proposed to be attached to any approval to ensure the proposals achieve secured by design accreditation.

Air Quality

The development has the potential to cause air quality impacts at sensitive locations during the construction and operational phases, as well as expose future residents to existing air quality issues. As such, without an Air Quality Assessment submitted as part of this application a pre-commencement condition has been attached to any approval to identify mitigation measures safeguarding local air quality.

Waste

The submitted waste management strategy has been assessed as being adequate for the proposals, with the existing waste arrangements along the street will apply to the proposed properties. As such a suitably worded condition is proposed to ensure this is incorporated into the development.

Trees

The proposals would result in the loss of trees and hedge. The applicant has submitted a tree survey which identifies those trees and hedge to be removed as being within category C. The better quality trees on the site are to be retained and the proposals indicate tree protection measures whilst construction works are taking place at the site. A suitably worded condition is proposed to be attached to any approval. In order to compensate the loss of trees and hedging on site a landscaping condition is proposed to be attached to any approval to ensure suitable tree replacements are planted as part of the development.

Drainage

Given that a large portion of the proposed development will form hardstanding and associated flooding and surface water run off risks to the neighbouring properties, and without a suitable surface water drainage layout submitted with the application, United Utilities and Flood Risk Management have asked for a pre-commencement condition be attached to any approval to implement an agreed upon surface water drainage system approved by the City Council.

Loss of garden area

The proposals would result in the loss of existing garden areas to neighbouring cottage flats. Whilst this loss is regretted the proposals do still retain outdoor amenity space to the front and rear of both sets of cottage flats. This amenity space is considered to be adequate for the retained properties, the application indicates that access would be retained to the rear garden area of the occupiers of 14/16 Bromborough Avenue. It is understood that the properties affected are in the ownership of the applicant.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality

Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: APPROVE

Article 35 Declaration

The application has been determined in a positive and proactive manner, a decision has been issued in a timely manner in accordance with statutory timescales.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawing-Proposed- Bungalow A ref. DR-A-002

Drawing-Proposed- Roof Plan ref. DR-A-004

Drawing- Proposed- Boundary Treatments ref. DR-A-005

Drawing- Proposed- Street Views and Visuals ref. DR-A-006

Drawing- Proposed- Site Plan

Drawing- Location Plan

All stamped as received by the City Council as Local Planning Authority on 17 March 2023

Document- Application Form for Planning Permission dated 17 March 2023

Document- Arboricultural Impact Assessment prepared by Ascerta dated November 2019

Document- Preliminary Ecological Appraisal prepared by Ascerta Ref: P.1206.19(D) dated January 2023

Document- Design and Access Statement prepared by Triangle Architects

Document- Preliminary Risk Assessment (Desk Study) prepared by Worms Eye ref Rainford Avenue/M20 1BR/2019 Dated 31 January 2023

Document- Drainage Strategy

Drawing- Drainage Layout and Details

Document- Storm Sewer Design prepared by Micro Drainage dated 09 January 2023

Document- Waste Management dated 17 March 2023

Document- Transport Statement prepared by mode transport dated 10 February 2023

All stamped as received by the City Council as Local Planning Authority on 17 March 2023

Reason- To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to the commencement of any development a Construction Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed plan and where appropriate shall include:

- The routing of construction traffic;
- Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- Details of the location and arrangements for contractor parking;
- The identification of the vehicular access points into the site;
- Identify measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

Reason - In the interests of residential amenity, highway safety and safe operation of aircraft at Manchester Airport pursuant to policy DM1 of the Core Strategy.

4) Prior to occupation, full details of all necessary off-site highway works to be implemented shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. The submitted details shall include all the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Rainford Avenue.

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation. The development shall only be occupied in accordance with the agreed works.

Reason - In the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

5) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

6) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

7) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

8) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

9) The development shall be carried out in accordance with the recommendations relating to small mammals and hedgehog contained within the Preliminary Ecological Appraisal by Ascerta ref. P.1206.19(D) section 5.2 dated January 2023 as received by the City Council as Local Planning Authority on 17 March 2023. The avoidance measures shall be implemented in accordance with the approved scheme as part of the development and shall be so maintained and retained at all times.

Reason- To protect native hedgehogs and other small mammals on the application site and to comply with policy EN15 of the Core Strategy

9) Prior to first occupation of the development hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

10) Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

11) Prior to the commencement of development, details of a sustainable surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes shall include:

- A finalised drainage layout showing all components, outfalls, levels and connectivity;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;

- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Progression through the drainage hierarchy shall be evidence based and supported by site investigation. Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.
- Where surface water is connected to the public sewer, agreement in principle from the United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- Hydraulic calculation of the proposed drainage system, including all design parameters.
- Construction details of flow control and SuDS elements.
- Management and maintenance plan for the lifetime of the development.

The drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policy EN17 of the Core Strategy.

12) Within three months of the commencement of development a hard and soft landscaping treatment scheme shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

13) The storage and disposal of waste shall be undertaken in accordance with the approved Waste Management Strategy and drawings submitted with the application and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

14) Prior to first occupation of the development hereby approved, full details of an electric car charging point shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments.

Reason - In the interest of air quality, pursuant to policy EN16 of the Manchester Core Strategy.

15) The boundary treatment details as set out on drawing reference DR-A-005 shall be carried out in accordance with the agreed details and the boundary treatment to each residential unit shall be completed prior to their first occupation.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the development is located in order to comply with policy DM1 of the Core Strategy.

16) The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime, pursuant to policy DM1 in the Core Strategy Development Plan Document for the City of Manchester.

17) Before the first occupation of the dwellings a scheme shall be submitted to and approved in writing by the City Council as local planning authority providing details of the appearance and specifications of the proposed cycle storage arrangements. The development shall be fully implemented in accordance with the approved scheme upon first occupation of the development and maintained in situ thereafter.

Reason - To secure appropriate arrangements for the provision of dedicated cycle storage facilities, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification) none of the dwellinghouses shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extensions or additional development other than those hereby approved shall be erected under Part 1, Classes A (extensions), B (alterations to the roof) and E (outbuildings) of the Order without the prior written express consent of the City Council as Local Planning Authority.

Reason - Alterations to the proposed development could have an adverse impact on the visual amenity of the area and the privacy of adjoining properties contrary to the provisions of Core Strategy policy DM1 and saved Unitary Development Plan policy DC1.

Informatives

- 1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure

that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Ecology Unit

8 Backford Walk, Manchester, M20 1BT
7 Backford Walk, Manchester, M20 1BT
3 Backford Walk, Manchester, M20 1BT
18 Backford Walk, Manchester, M20 1BT
12 Backford Walk, Manchester, M20 1BT
1 Backford Walk, Manchester, M20 1BT
20 Rainford Avenue, Manchester, M20 1BR
18 Rainford Avenue, Manchester, M20 1BR
14 Rainford Avenue, Manchester, M20 1BR
11 Rainford Avenue, Manchester, M20 1BR
1 Hassall Avenue, Manchester, M20 1PG
9 Backford Walk, Manchester, M20 1BT
6 Backford Walk, Manchester, M20 1BT
5 Backford Walk, Manchester, M20 1BT
4 Backford Walk, Manchester, M20 1BT
20 Backford Walk, Manchester, M20 1BT
2 Backford Walk, Manchester, M20 1BT
16 Backford Walk, Manchester, M20 1BT
14 Backford Walk, Manchester, M20 1BT
11 Backford Walk, Manchester, M20 1BT
10 Backford Walk, Manchester, M20 1BT
9 Rainford Avenue, Manchester, M20 1BR
22 Rainford Avenue, Manchester, M20 1BR
21 Rainford Avenue, Manchester, M20 1BR
19 Rainford Avenue, Manchester, M20 1BR
17 Rainford Avenue, Manchester, M20 1BR
16 Rainford Avenue, Manchester, M20 1BR
12 Rainford Avenue, Manchester, M20 1BR

10 Rainford Avenue, Manchester, M20 1BR
22 Bromborough Avenue, Manchester, M20 1BP
20 Bromborough Avenue, Manchester, M20 1BP
18 Bromborough Avenue, Manchester, M20 1BP
16 Bromborough Avenue, Manchester, M20 1BP
14 Bromborough Avenue, Manchester, M20 1BP
2 Rudheath Avenue, Manchester, M20 1PE

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH AREA